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JDMY Rec'd PCT/PTO 30 APR 2001

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FORM PTO-1390 DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE
(REV 1-98)ATTORNEY'S DOCKET NO.
11783.0017.PCUS00U.S. APPLICATION NO. (If known, sec37
CFR 1.5)

09/830806

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO. PCT/GB99/03518	INTERNATIONAL FILING DATE 28 OCT 1999 (28.10.1999)	PRIORITY DATE CLAIMED 28 OCT 1998 (28.10.1998)
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TITLE OF INVENTION

APPARATUS AND METHOD FOR OBTAINING 3D IMAGES

APPLICANT(S) FOR DO/EO/US

BALL, Stephen L.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
- A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- A copy of the International Application as published (35 U.S.C. 371(c)(2)).
 - is transmitted herewith (required only if not transmitted by the International Bureau).
 - has been transmitted by the International Bureau.
 - is not required, as the application was filed in the United States Receiving Office (RO/US).
- A translation of the International Application into English (35 U.S.C. 371(c)(2)).
- Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - are transmitted herewith (required only if not transmitted by the International Bureau).
 - have been transmitted by the International Bureau.
 - have not been made; however, the time limit for making such amendments has NOT expired.
 - have not been made and will not be made.
- A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern document(s) or information included:

- An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- A **FIRST** preliminary amendment.
- A **SECOND** or **SUBSEQUENT** preliminary amendment.
- A substitute specification.
- A change of power of attorney and/or address letter.
- Other items or information:

Return Postcard

CERTIFICATE OF EXPRESS MAILING

NUMBER EL 818774453 US

DATE OF DEPOSIT April 30, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C F R 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, DC 20231

Signature

U.S. APPLICATION NO. 09/830,806		INTERNATIONAL APPLICATION NO. PCT/GB99/03518	ATTORNEY'S DOCKET NUMBER 11783.0017.PCUS00																
17. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY																	
Basic National Fee (37 CFR 1.492(a)(1)-(5): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00																			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 <small>Small entity \$430.00</small>																			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00																			
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00																			
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$ 100.00																			
ENTER APPROPRIATE BASIC FEE AMOUNT = \$430.00																			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$0.00																			
<table border="1"> <thead> <tr> <th>Claims</th> <th>Number Filed</th> <th>Number Extra</th> <th>Rate</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>29 - 20 =</td> <td>9</td> <td>x \$ 18.00 \$162.00</td> </tr> <tr> <td>Independent Claims</td> <td>2 - 3 =</td> <td>0</td> <td>x \$ 80.00 \$0.00</td> </tr> <tr> <td>Multiple dependent claim(s) (if applicable)</td> <td></td> <td></td> <td>+\$27.00 \$0.00</td> </tr> </tbody> </table>				Claims	Number Filed	Number Extra	Rate	Total Claims	29 - 20 =	9	x \$ 18.00 \$162.00	Independent Claims	2 - 3 =	0	x \$ 80.00 \$0.00	Multiple dependent claim(s) (if applicable)			+\$27.00 \$0.00
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TOTAL OF ABOVE CALCULATIONS = \$592.00																			
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (NOTE: 37 CFR 1.9, 1.27, 1.28) \$.00																			
SUBTOTAL = \$592.00																			
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). \$n/a.00																			
TOTAL NATIONAL FEE = \$592.00																			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property) \$.00																			
TOTAL FEES ENCLOSED = \$592.00																			
Amount to be \$.00 <small>refunded: charged</small> \$.00																			
a. <input type="checkbox"/> A check in the amount of \$ _____.00 cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>01-2508/11783.0017</u> in the amount of <u>\$ 592.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>01-2508/11783.0017</u> . A duplicate copy of this sheet is enclosed.																			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																			
SEND ALL CORRESPONDENCE TO:  Robert P. Auerbach, Patent Agent HOWREY SIMON ARNOLD & WHITE LLP 750 Bering Drive Houston, TX 77057-2198 (713) 787-1400																			
SIGNATURE <u>Robert P. Auerbach</u> NAME <u>Robert P. Auerbach, Patent Agent</u> REGISTRATION NUMBER <u>46,525</u>																			



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
STEPHEN L. BALL

Serial No.: 09/830,806

Filed: APRIL 30, 2001

For: APPARATUS AND METHOD FOR
OBTAINING 3D IMAGES

Group Art Unit: Unassigned

Examiner: Unassigned

Atty. Dkt. No.: 11783.0017.NPUS00

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR §§ 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Measurement Devices Limited
ADDRESS OF SMALL BUSINESS CONCERN: Silverburn Crescent
Bridge of Don Industrial Estate
Aberdeen, Scotland AB23 8EW

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR § 121.3-18, and reproduced in 37 CFR § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by any concern

which would not qualify as a small business concern under 37 CFR § 1.9(d), or a nonprofit organization under 37 CFR § 1.9(e).



NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR § 1.27)

FULL NAME: _____

ADDRESS: _____

INDIVIDUAL

SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

FULL NAME: _____

ADDRESS: _____

INDIVIDUAL

SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Signature: Stephen L. Ball

DATE: 08-07-01

Name: Stephen L. Ball

Title: MANAGING DIRECTOR